

7A Am. Jur. 2d Automobiles § 60

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Automobiles and Highway Traffic

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III. Licensing, Taxation, and Registration

A. Vehicles

2. Power to License or Tax

a. Power of State, in General

§ 60. Power of state to license or tax, generally

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

West's Key Number Digest, Automobiles  22 to 27, 66 to 72

Motor vehicle registration is a traditional government function.¹

Because the operation of a motor vehicle is a privilege,² the legislature of each state may, in the exercise of the police power, enact reasonable regulations requiring the licensing or registration of motor vehicles,³ including the private motor carriers of property,⁴ and public or common⁵ carriers of persons or property. Under some state constitutions, the imposition of licensing or registration fees under the police power will be upheld by the courts when plainly intended as police power regulation, so long as the revenue derived is not disproportionate to the cost of issuing the license and regulating the business to which it applies.⁶

The state may also impose such a fee or tax for revenue purposes,⁷ such as constructing and maintaining the public highways.⁸ A fee or tax imposed for revenue purposes is not limited to the cost of administering the law.⁹

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Footnotes

¹ [Prairie Band Potawatomi Nation v. Wagnon](#), 476 F.3d 818 (10th Cir. 2007) (applying Kansas law).

As to the nature of a licensing or registration fee or tax, generally, see §§ 71 to 80.

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